

MR/CAT 3/PC 7

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

RECEIVED
9/12/2024 JC
THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT

24-CV-8426

JEFF MCGRAW . # 185034

(WINNEBAGO COUNTY JAIL) 650 WEST STATE (St.)

ROCKFORD, ILLINOIS, 61102

(Enter above the full name
of the plaintiff or plaintiffs in
this action)

vs.

Case No: _____
(To be supplied by the Clerk of this Court)

U.S. PROSECUTOR ("BRANDON STONE")

U.S. MARSHALLS (JOHN DOE - Hispanic)

Jerome Combs / detention Center (Kankakee County)

Jail Superintendant / Sheriff dept. (" " ")

SEARGENT BARTUCCI

CORRECTIONAL OFFICER ("BRUNER"), Lieutenant Perkins, (Inmate GREG N. MACON #519827)

(Enter above the full name of ALL
defendants in this action. Do not
use "et al.")

CHECK ONE ONLY:

AMENDED COMPLAINT

COMPLAINT UNDER THE CIVIL RIGHTS ACT, TITLE 42 SECTION 1983
U.S. Code (state, county, or municipal defendants)

COMPLAINT UNDER THE CONSTITUTION ("BIVENS" ACTION), TITLE
28 SECTION 1331 U.S. Code (federal defendants)

OTHER (cite statute, if known)

**BEFORE FILLING OUT THIS COMPLAINT, PLEASE REFER TO "INSTRUCTIONS FOR
FILING." FOLLOW THESE INSTRUCTIONS CAREFULLY.**

Reviewed: 8/2013

I. Plaintiff(s):

- A. Name: JEFF MCGRAW • # 185034
- B. List all aliases: N/A
- C. Prisoner identification number: 185034
- D. Place of present confinement: Winnebago County Justice Center
- E. Address: 650 West State street / Rockford, Illinois, 61102

(If there is more than one plaintiff, then each plaintiff must list his or her name, aliases, I.D. number, place of confinement, and current address according to the above format on a separate sheet of paper.)

II. Defendant(s):

(In **A** below, place the full name of the first defendant in the first blank, his or her official position in the second blank, and his or her place of employment in the third blank. Space for two additional defendants is provided in **B** and **C**.)

- A. Defendant: U.S. MARSHALLS
- Title: Government Officials (transport) & (Placement)
- Place of Employment: Government of The United States
- B. Defendant: Sergeant "BARTUCCI"
- Title: Sergeant of Jerome Combs detention Center
- Place of Employment: Jerome Combs detention center
- C. Defendant: Correctional Officer "BRUNER"
- Title: STAFF MEMBER
- Place of Employment: Jerome Combs detention Center

(If you have more than three defendants, then all additional defendants must be listed according to the above format on a separate sheet of paper.)

(Continuation after Page #2)

(Additional Defendants)

- d) defendant - * Brandon Stone*
title - U.S. Prosecutor
Place of Employment - U.S. District Court, 60604
- e) defendant • Sheriff of Kankakee County
title • Jail Superintendent
Place of Employment • Jerome Combs detention Center
- f) defendant • Lieutenant Perkins
title • Lieutenant
Place of Employment • Jerome Combs detention Center
- G) defendant • Griez N. MACON
title • Inmate
Place of Employment • Custody

III. List ALL lawsuits you (and your co-plaintiffs, if any) have filed in any state or federal court in the United States:

- A. Name of case and docket number: MCGRW VS. MARY PECKS
- B. Approximate date of filing lawsuit: August 16th, 2021
- C. List all plaintiffs (if you had co-plaintiffs), including any aliases: Just Jeff McGRW
- D. List all defendants: MARY PECKS / Dr. A. David / Warden Mitchell
WEXFORD health sources
- E. Court in which the lawsuit was filed (if federal court, name the district; if state court, name the county): US. district Court "Southern district"
- F. Name of judge to whom case was assigned: Staci M. Yandle
- G. Basic claim made: (Medical Negligence) / deliberate Indifference
Pain & Suffering, delayed medical treatment
- H. Disposition of this case (for example: Was the case dismissed? Was it appealed? Is it still pending?): dismissed
- I. Approximate date of disposition: MARCH 7th, 2023

IF YOU HAVE FILED MORE THAN ONE LAWSUIT, THEN YOU MUST DESCRIBE THE ADDITIONAL LAWSUITS ON ANOTHER PIECE OF PAPER, USING THIS SAME FORMAT. REGARDLESS OF HOW MANY CASES YOU HAVE PREVIOUSLY FILED, YOU WILL NOT BE EXCUSED FROM FILLING OUT THIS SECTION COMPLETELY, AND FAILURE TO DO SO MAY RESULT IN DISMISSAL OF YOUR CASE. CO-PLAINTIFFS MUST ALSO LIST ALL CASES THEY HAVE FILED.

IV. Statement of Claim:

State here as briefly as possible the facts of your case. Describe how each defendant is involved, including names, dates, and places. **Do not give any legal arguments or cite any cases or statutes.** If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. (Use as much space as you need. Attach extra sheets if necessary.)

(by "Brandon Stone")

I. JEFF MCGRAW, was removed to Federal custody on 5/25/23, I was told I was going to Kankakee County (Jerome Combs detention center) I told the "U.S. marshalls" I Fear For my Safety in This County due to The alleged murderers of my Best Friend were housed here (Friend - Victim name "Carlton Weekly") The U.S. marshal stated its not my concern, tell C/o's and staff at The Jerome Combs detention Center.

Once in Jerome Combs detention Center custody, Immediately in Processing,

Sergeant Bortucci stated ("Quote") You will be safe, and have nothing to worry about (unquote)

I Followed The Guidance of U.S. Marshall For intake protection

Instead of appropriately housing me, or Intervening on my behalf to seek Administrative Experience. In custody Pool Flex "B" I was there but then hospitalized on 5/30/23

due to Pneumonia. On 06/02/23, I was brought back into custody here, I was put right back in the same area, (C/o: Lovel) asked (Brumer C/o) to allow me to take a shower (After) everyone was locked up and secure in their cells, and it was approved.

Everyone was locked up, I was taken a shower, Then attacked by Inmate Grieg N. Macon 519827 because

C/o: Brumer was negligent, unprofessional, and Unauthorized to have anyone out, while I was approved to shower, I tried to Fight off The attack, due to Pneumonia I was lightheaded, fearful, and hollaring For officer assistance, and received None, and made a desperate act, and jumped from The top gallery and having done so

cont.
#2 / Resulted in my right leg being broken. yelling for officers help, finally an officer arrived and handled me in a aggressive manner as if I was The Aggressor / then taking me to Booking area, in a wheelchair, with a broken leg, everyone acknowledged that "Yo: Bruner Shouldn't have allowed "Inmate Grieg N. MAcon #519827" out of his cell. I was Then transported on the floor of a Van and was denied a Ambulance, after Writing in Excruciating Pain for a lengthy Period of time. The orthopedic confirmed I would never walk The Same, have permanent nerve damage, and need knee replacement surgery. After Surgery, I was placed in an Unsanitary, cell, leaving me Sus ceptible to infection due to staples and in retrospect, The Prisoner. Lieutenant Perkins denied me access to my wheelchair (knowingly of the ^{Actual} Incident), and no pressure on your leg for 10 weeks, (Surgery 06/04/23, 06/05/23 → 06/02/23) After all of this was I moved to a "handicapp cell" 06/08/23

Then after a Proper and thorough Investigation, I was transferred on 07/31/23 to Winnebago County Justice center for my Protection and to receive adequate medical care and assistance, and with negligence, unprofessionalism, and deliberate Indifference's, (This could of been prevented) had "Jerome Combs detention center" U.S. marshalls, The Sheriff of Kankakee County, jail Superintendent, Sergeant Battucci, and Especially correctional officer "Bruner" took my request to house me accordingly once I stated and informed several staff member's Throughout, The Process, attack, and even now. / This has resulted in Pain's, Suffering, permanent disfigurement, Surgeries, nerve damage lifetime, long-term, medication dependency, psych. medication. Physical therapy, and other matters are deriving from, not housing me under a classification That protected me, aiding in my attack, and humane treatment while in custody. Negligence, Indifference's, and misconduct. are The results of why I feel Victim to These circumstances.

Compensatory \$10 million (Additional)
Punitive \$10 million (Additional)
 V. Relief:

State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.

- * Monetary Relief = (\$10 million dollars) to cover past, present, and future medical cost, pain & suffering lifetime, mental anguish distress, loss of wages, disfigurement-disability, P.T.S.D. reoccurring nightmares, depression, and future surgeries
- * Conditions modifications = Jerome Combs detention center staff to be better trained
 Yo! Bruner to be Fired and Sergeant Bantrel to be fired immediately,
 better for medical inmates, Thorough Investigation as well as effective Communication
 care / between U.S. marshals and County, state, municipal staff

VI. The plaintiff demands that the case be tried by a jury. ☒ YES ☐ NO

CERTIFICATION

By signing this Complaint, I certify that the facts stated in this Complaint are true to the best of my knowledge, information and belief. I understand that if this certification is not correct, I may be subject to sanctions by the Court.

Signed this 24th day of June, 2024

Jeff McGraw
 (Signature of plaintiff or plaintiffs)

Jeff McGraw
 (Print name)

185034
 (I.D. Number)

650 W state st
Rockford, IL 61102
 (Address)

Exhibit
A

CORRECTIONS DIVISION

() REQUEST

(✓) GRIEVANCE

() OTHER

NAME: Jeff McGrawDATE: 6-17-23HOUSING UNIT: Intake 1Inmate I.D. # 458118

Describe in detail your request/grievance.

I was remanded to federal custody on 5-25-23 and was told I was going to be held in Kankakee County. Before I was brought to Kankakee County, I stopped a US Marshall while I was in holding and informed him that I needed for my safety in Kankakee County due to some of the murderers of my best friend Carlton Weckly (FBI Duck) being held at that facility. The US Marshall told me it wasn't his concern.

RECEIVED BY OFFICER: Lt. Bright ID # M9463 DATE: 6/19/23

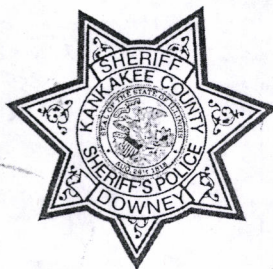
RESPONSE:

When you arrived here on 5-25-23 the paperwork we received from the USMS listed NO keep separates. In addition when being processed

ANSWER GIVEN BY: [Signature]DATE: 6-19-23PINK - To inmate upon receipt
OCT/2018

YELLOW - To inmate upon response

WHITE - Inmate file

Exhibit
B

CORRECTIONS DIVISION

() REQUEST

(✓) GRIEVANCE

() OTHER

NAME: Jeff McGrawDATE: 6-17-23HOUSING UNIT: Intake 1Inmate I.D. # 458110

Describe in detail your request/grievance.

and to inform correctional officers once I reached Kankakee. Once I ~~reached~~ reached Kankakee County, I informed the C/O of my safety concerns and was told, had nothing to worry about and I would be safe. I was then placed on pod Floor B that day and was there until 5-30-23 because I was taken to the outside hospital due to me having pneumonia. I was released from the hospital

RECEIVED BY OFFICER:

Lt. Bright

ID #

129463

DATE:

10/19/23

RESPONSE:

in you mentioned I keep separated to the booking officer, as well as you never asked for any protective custody housing.

ANSWER GIVEN BY:

[Signature]

DATE:

6/19/23PINK - To inmate upon receipt
OCT/2018

YELLOW - To inmate upon response

WHITE - Inmate file

Page 3 of 11

Exhibit
C

CORRECTIONS DIVISION

() REQUEST

(✓) GRIEVANCE

() OTHER

NAME: Jeff McGrawDATE: 6-17-23HOUSING UNIT: Intake, 1Inmate I.D. # 458110

Describe in detail your request/grievance.

and brought back to Kankakee county on 6-2-23. Once i got back officer Lovell ask Pod Floor B officer if i can take a shower. I lock up when no one else was out. Pod Floor B officer Ms B. agreed and after lock up at approximately 8:30 pm i was allowed to take a shower. Once i was done showering and collecting my clothing and hygiene items i was blindsided and attacked by

RECEIVED BY OFFICER: Lt. BrightID # 179413DATE: 6/19/23

RESPONSE:

The tier system used in the housing unit is a guideline for our officers to control the running of the housing units. It is not

ANSWER GIVEN BY: [Signature]DATE: 6-19-23PINK - To inmate upon receipt
OCT/2018

YELLOW - To inmate upon response

WHITE - Inmate file

Page 4 of 11

Exhibit
d

CORRECTIONS DIVISION

() REQUEST

(✓) GRIEVANCE

() OTHER

NAME: Jeff McGrawDATE: 6-17-23HOUSING UNIT: Inmate / 1Inmate I.D. # 458110

Describe in detail your request/grievance.

On inmate, I tried to fight off the attack as much as I could but being I was still recovering from pneumonia I started to get light headed and feared of losing my life. I hollered for help and safety but received none so I made a desperate move and jumped from the top tier to escape from the attack and broke my leg. I then ran to the Juv and beat on it and screamed and hollered for help until I finally

RECEIVED BY OFFICER:

Lt. Bright

ID #

ms463

DATE:

6/19/23

RESPONSE:

Used to control no contacts on a regular basis. Again, we did not have any no contacts listed for you at that time.

ANSWER GIVEN BY:

[Signature]

DATE:

6/19/23PINK - To inmate upon receipt
OCT/2018

YELLOW - To inmate upon response

WHITE - Inmate file

Page 5 of 11

Exhibit
E

CORRECTIONS DIVISION

() REQUEST

(✓) GRIEVANCE

() OTHER

NAME: Jeff McGraw DATE: 6-17-23HOUSING UNIT: Intake 1 Inmate I.D. # 458110

Describe in detail your request/grievance.

open the door and let me out and ordered me to the ground. I then informed officers that I thought my leg was broke. I was ~~brake~~ brought to booking in a wheel chair where I learned that the inmate that attacked me wasn't supposed to even be out his cell and he was on the top tier. I was housed on the bottom tier and the bottom tier

RECEIVED BY OFFICER: LT. Bright ID # 1194163 DATE: 6/19/23

RESPONSE:

Medical was contacted when you were brought to booking. At no time were we advised that an ambulance needed to be called.

ANSWER GIVEN BY: [Signature] DATE: 6.19.23PINK - To inmate upon receipt
OCT/2018

YELLOW - To inmate upon response

WHITE - Inmate file

Page 6 of 11

Exhibit
F

CORRECTIONS DIVISION

() REQUEST

(✓) GRIEVANCE

() OTHER

NAME: Jeff McGraw DATE: 6-17-23HOUSING UNIT: Inmate / 1 Inmate I.D. # 458110

Describe in detail your request/grievance.

was the last tier to come out before lockdown. In banking
 i was questioned by Lt Perkins about the attack and i told her
 i didn't know the inmate and i don't have a clue as to why i was
 attacked. Instead of calling an ambulance to come get me i was
 wheeled to a minivan and put on the back seat floor to be
 transported to the hospital. Once at the hospital i was given

RECEIVED BY OFFICER: Lt. Bright ID # 119463 DATE: 6/19/23

RESPONSE:

You were awake & responsive & having a
 conversation with me. You were taken in
 a wheelchair, loaded into a minivan &

ANSWER GIVEN BY: [Signature] DATE: 6.19.23PINK - To inmate upon receipt
OCT/2018

YELLOW - To inmate upon response

WHITE - Inmate file

Exhibit
6

CORRECTIONS DIVISION

() REQUEST

(✓) GRIEVANCE

() OTHER

NAME: Jeff McGraw DATE: 6-17-23HOUSING UNIT: intake / 1 Inmate I.D. # 458110

Describe in detail your request/grievance.

X-rays and learned I in fact did break a bone in my leg and would need surgery. I was also informed by the orthopedic doctor that I would never walk the same again. I also was informed that because I was knee-knocked and not bow-legged that I would always be in pain and would eventually need a knee replacement surgery. I asked can I make a phone call to let my family

RECEIVED BY OFFICER: Lt. Bright ID # 179463 DATE: 6/19/23

RESPONSE:

transported to the hospital. When asked if you knew why the incident happened you stated to me you had no idea & had never

ANSWER GIVEN BY: [Signature] DATE: 6/19/23PINK - To inmate upon receipt
OCT/2018

YELLOW - To inmate upon response

WHITE - Inmate file

Exhibit
H

CORRECTIONS DIVISION

() REQUEST

(✓) GRIEVANCE

() OTHER

NAME: Jeff McGraw DATE: 6-17-23HOUSING UNIT: Intake / 1 Inmate I.D. # 458110

Describe in detail your request/grievance.

When I was attacked and that I would need surgery. I was refused a call. I had surgery on 6-4-23 and now have a plate and screws in my leg and was let out of the hospital and sent back to Kankakee county on 6-5-23 and was put in a small cell in booking that was very dirty, smelly and even had blood bandages on the floor. I asked corporal Mcmanga could he have

RECEIVED BY OFFICER: LT. Bright ID # 114463 DATE: 6/19/23

RESPONSE:

seen the guy before in your life. When you came back from the hospital, your paperwork said you were issued crutches & nowhere

ANSWER GIVEN BY: [Signature] DATE: 6/19/23PINK - To inmate upon receipt
OCT/2018

YELLOW - To inmate upon response

WHITE - Inmate file

Exhibit
I

CORRECTIONS DIVISION

() REQUEST

(✓) GRIEVANCE

() OTHER

NAME: Jeff McGraw DATE: 6-17-23HOUSING UNIT: inmate 1 Inmate I.D. # 458110

Describe in detail your request/grievance.

somebody clean the cell for me and he told me no and that i could clean it my self. I told him that i just had surgery and was unable to clean myself and would need assistance. I then asked Lt. Perkins could i receive my tablet so i could call my family to let them know what was going on with me and was informed i was seg status. I was let out my cell for a hr of dayroom and i

RECEIVED BY OFFICER: Lt. Bright ID # M9463 DATE: 6/19/23

RESPONSE:

was there any medical order for a wheelchair, which was also confirmed with the medical department. Anyone involved in an altercation

ANSWER GIVEN BY: [Signature] DATE: 6/19/23PINK - To inmate upon receipt
OCT/2018

YELLOW - To inmate upon response

WHITE - Inmate file

Exhibit
J

CORRECTIONS DIVISION

() REQUEST

(X) GRIEVANCE

() OTHER

NAME: Jeff McGraw DATE: 6-17-23HOUSING UNIT: intake, 1 Inmate I.D. # 458110

Describe in detail your request/grievance.

asked Lt Perkins could i use a wheel chair and was denied access to one even when i informed her that i had strict doctor orders to use a wheel chair if i had to go long distances and not to put weight on my leg for 20 weeks. I had to painfully use my crutches to go use the phone and go back to my cell. On 6-8-23 i asked Lt Bright could she have somebody clean my cell and she instantly got it clean.

RECEIVED BY OFFICER: Lt. Bright ID # 177463 DATE: 6/19/23

RESPONSE:

is automatically on lockdown until a disciplinary hearing is held. They did not do your hearing within 8 days, therefore you came off of "seg"

ANSWER GIVEN BY: [Signature] DATE: 6.19.23PINK - To inmate upon receipt
OCT/2018

YELLOW - To inmate upon response

WHITE - Inmate file

Exhibit
K

CORRECTIONS DIVISION

() REQUEST

(✓) GRIEVANCE

() OTHER

NAME: Jeff McGrawDATE: 6-17-23HOUSING UNIT: intake /Inmate I.D. # 458110

Describe in detail your request/grievance.

for me and on 6-9-23 she even had me moved to a handicapp
 accessible, clean cell where i am housed now. I'm only
 allowed 1 hr of out of cell time now where everybody
 else is allowed at least 4 hrs if they are not seg status. I
 am being punished for being attacked even though i'm not seg status
 and never even recieved a disciplinay report.

RECEIVED BY OFFICER: Lt. BrightID # 119463DATE: 6/19/23

RESPONSE:

status on approximately 6-10-23, your current
 housing is to protect you in your current
 condition. I am told often times you get several
 hours out at a time.

ANSWER GIVEN BY: [Signature]DATE: 6-19-23PINK - To inmate upon receipt
OCT/2018

YELLOW - To inmate upon response

WHITE - Inmate file

On 6/2/23, I, R/o Koprowski, was assigned to K-Pod B/C side with C/o Slusinski for 3rd shift, 1500-2300. At approximately 2045, R/o was in the breakroom with C/o's Denson and D. White. "10-10 Flex B" was called over the radio twice and R/o responded with C/o's Denson and D. White. Once at Flex's interlock, R/o along with the other officers, met up with C/o's Buell and Erzinger. Upon entering the unit and opening the door to Flex B, one detainee came straight out the door and fell to the ground, later identified as McGraw, Jeffery. R/o ordered this detainee to roll over onto his stomach and handcuffed him behind his back. The handcuffs were checked for fit and double locked. Once detainee McGraw was secured, R/o noticed the detainee was bleeding from his arm where he had his IV from the previous hospital trip. McGraw also stated that he could not walk because he had hurt his leg from the fight. When asked how he hurt his leg and what happened, McGraw stated that he jumped from the top tier of Flex B trying to avoid the fight. After McGraw was assessed and placed in a wheel chair, C/o's D. White and Denson took McGraw to Booking. R/o along with C/o's Buell, Erzinger and LeDuke then escorted the other detainee, Macon, Grieg, to Max. R/o and C/o Erzinger asked Macon if he'd like to see medical or press charges in which he responded no to both. Once in Max, Macon was escorted to Max B Cell 4. Macon was ordered to kneel on the bed for cuffs to be removed and for the safety of officers in which he did with no issues. All officers left the cell safely. No further incidents. End of statement.

C/o A. Koprowski

Exhibit
L

Jeff McGraw IO#185001
Winnebago County Jail
650 West State Street
Rockford, IL 61102

RECEIVED
2024 SEP 12 AM 8:56



MAILED FROM
WINNEBAGO COUNTY JAIL



09/12/2024-17

United States District Court
219 S. Dearborn Street, 20th Floor
Chicago, IL 60604

Legal Mail

UNIT219* 601 SE 1 N C0109/05/24
UNABLE TO FORWARD/FOR REVIEW
C005

BC: 60604999955 DU0121N249161-00977

